

RECORDED BY:

AND WHEN RECORDED, MAIL TO:

Mr. Thomas M. Rejzek
Santa Barbara County Fire Department
Fire Prevention Division
195 West Highway 246
Buellton, California 93427

COPY of Document Recorded

21-Jan-2009 2009-0002820

Has not been compared with
original

SANTA BARBARA COUNTY RECORDER

SOIL CONTAMINATION NOTICE

LET IT BE KNOWN:

That the Santa Barbara Center for the Performing Arts is owner of the real property in the County of Santa Barbara, State of California, described as: 1216 State Street, Santa Barbara, California, Assessor's Parcel Number 039-183-045.

This property is known to contain soil contamination in excess of Santa Barbara County clean up levels. The assessment and remediation of petroleum hydrocarbon-containing soil completed at the subject property is described in Exhibit A, and the site plan indicating the extent of contamination is attached.

Notice of these conditions shall remain with the land until verification of remediation is approved and signed off by Santa Barbara County Fire Department, Fire Prevention Division.

These conditions do not prevent the sale of the property; however, restrictions may be placed on the use of the property and the construction of buildings on the property.

In witness whereof, this notice has been executed by the owner of the property named above or their duly authorized representatives this 9th day of January, 2009.

This notice has been reviewed by the County of Santa Barbara Fire Department, Fire Prevention Division, State of California, this JANUARY 13, 2009.

State of California)
County of Santa Barbara)

On January 9, 2009 before me, Margie Sims Klinger, Notary Public, personally appeared Peter Fritsch, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Signature

Margie Sims Klinger (seal)



its sec loose
certificate

State of California)

County of Santa Barbara

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On January 13, 2009 before me, Rose M. Pueschel, Notary Public
(here insert name and title of the officer)

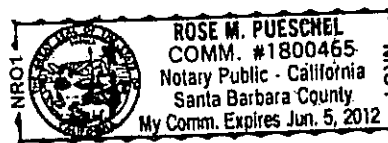
personally appeared Thomas M. Rejcek

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
☐ Attorney-in-Fact
☐ Corporate Officer(s)

Title(s)

- ☐ Guardian/Conservator
☐ Partner - Limited/General
☐ Trustee(s)
☐ Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

☐



Exhibit "A"

NOTE TO THE COUNTY RECORD

ASSESSOR'S PARCEL NUMBER: 039-183-045

SITE NAME: Granada Theatre UST

SITE ADDRESS: 1216 State Street

SITE ID: LUFT Site #90122

1. Brief description of the release/source/extent including dates.

An idle heating oil underground storage tank (UST) circa 1924 was identified during renovation construction activities at the site. Crews encountered the UST at an approximate depth of 16 feet during the drilling of soldier piles for the shoring wall system using a bucket auger. The shoring wall location was adjusted to accommodate the removal of the UST; however, a small volume of contaminated soil was unable to be excavated and remains at the site. Based upon laboratory analytical results of soil samples collected from the UST excavation area, approximately 68 cubic yards (109 tons) of soil containing petroleum hydrocarbons remains at the site, and extends to depths between approximately 20 and 30 feet below ground surface. The mass of petroleum hydrocarbons is estimated to be 712 lbs (322 kg).

2. Description of structural encumbrance, if applicable.

Structural encumbrances include a shoring wall system, underground utility corridor, and the theatre building.

3. Description of infeasibility for best available/approved remedial technologies.

Inability to excavate heating oil from urban setting. Potential for groundwater impact is low. Soil vapor extraction (SVE) feasibility low due to the presence of heavy petroleum hydrocarbons, and lack of volatile organic compound (VOC) constituents in soil.

4. Description of fate and transport.

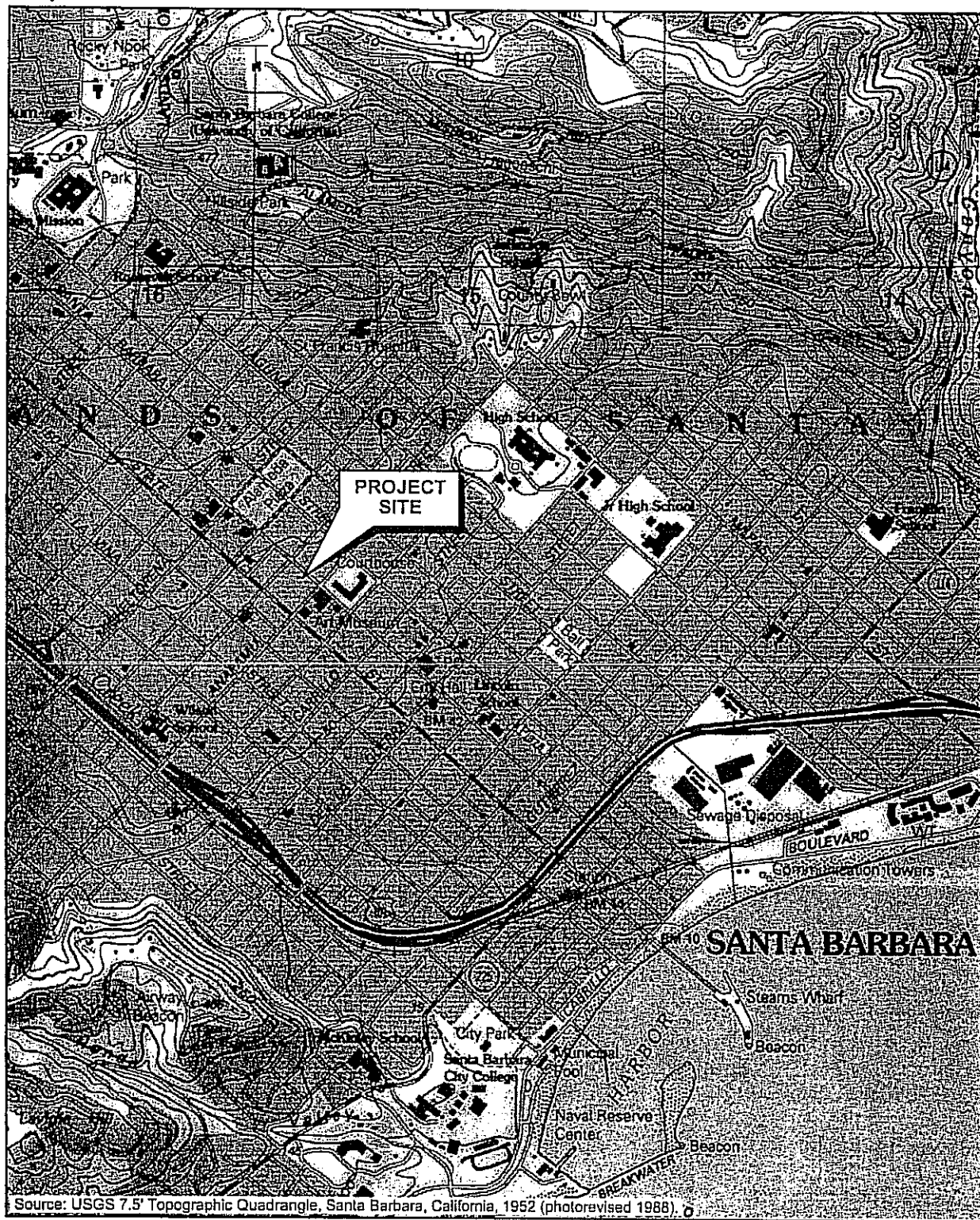
Mobility of heating oil is limited due to very little infiltration of surface water. Additionally, there is a low potential for lateral transport via groundwater flow based on the depth to groundwater at roughly 20 feet below the area of soil contamination.

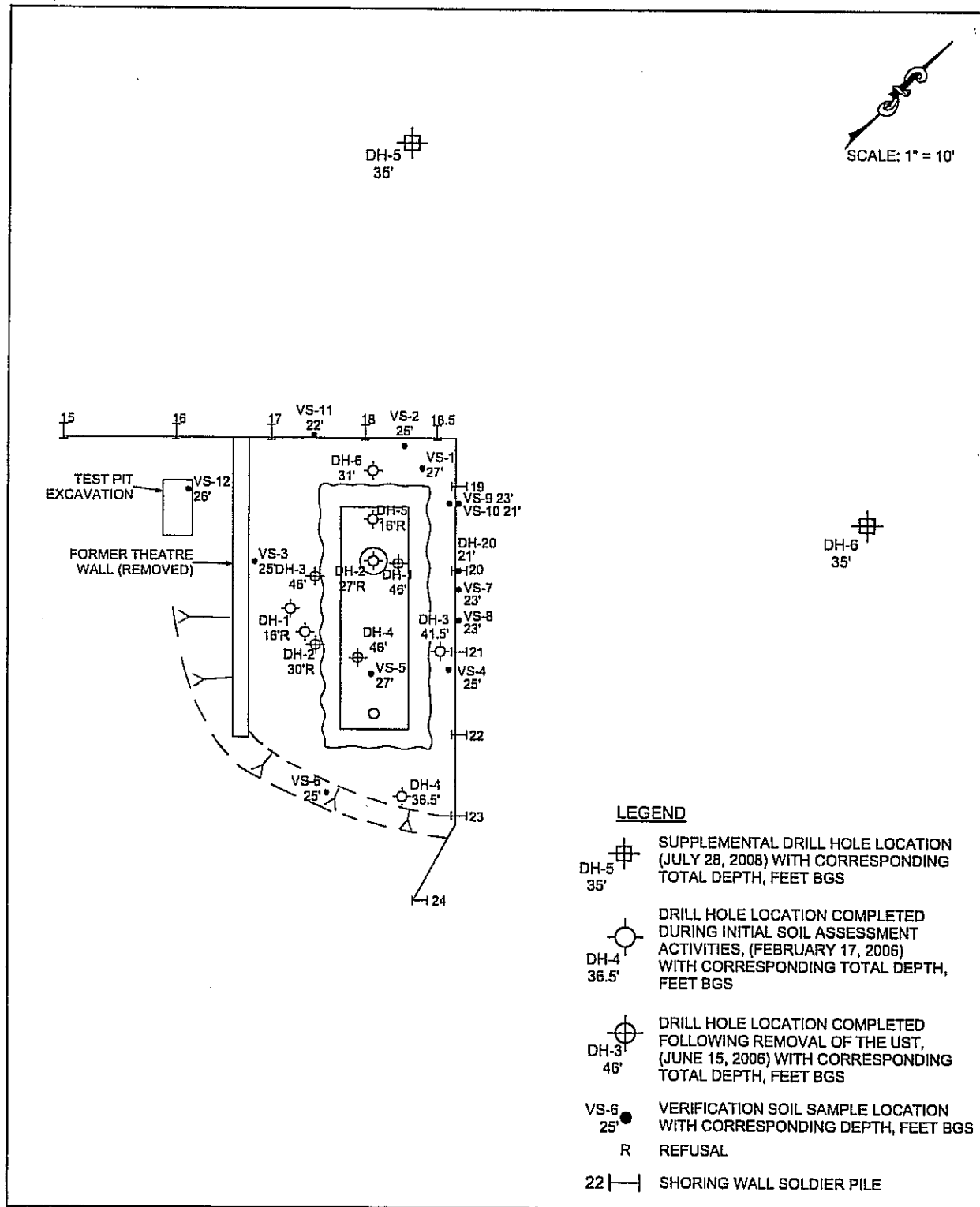
5. Description of risk to water quality, public health and safety, and the environment.

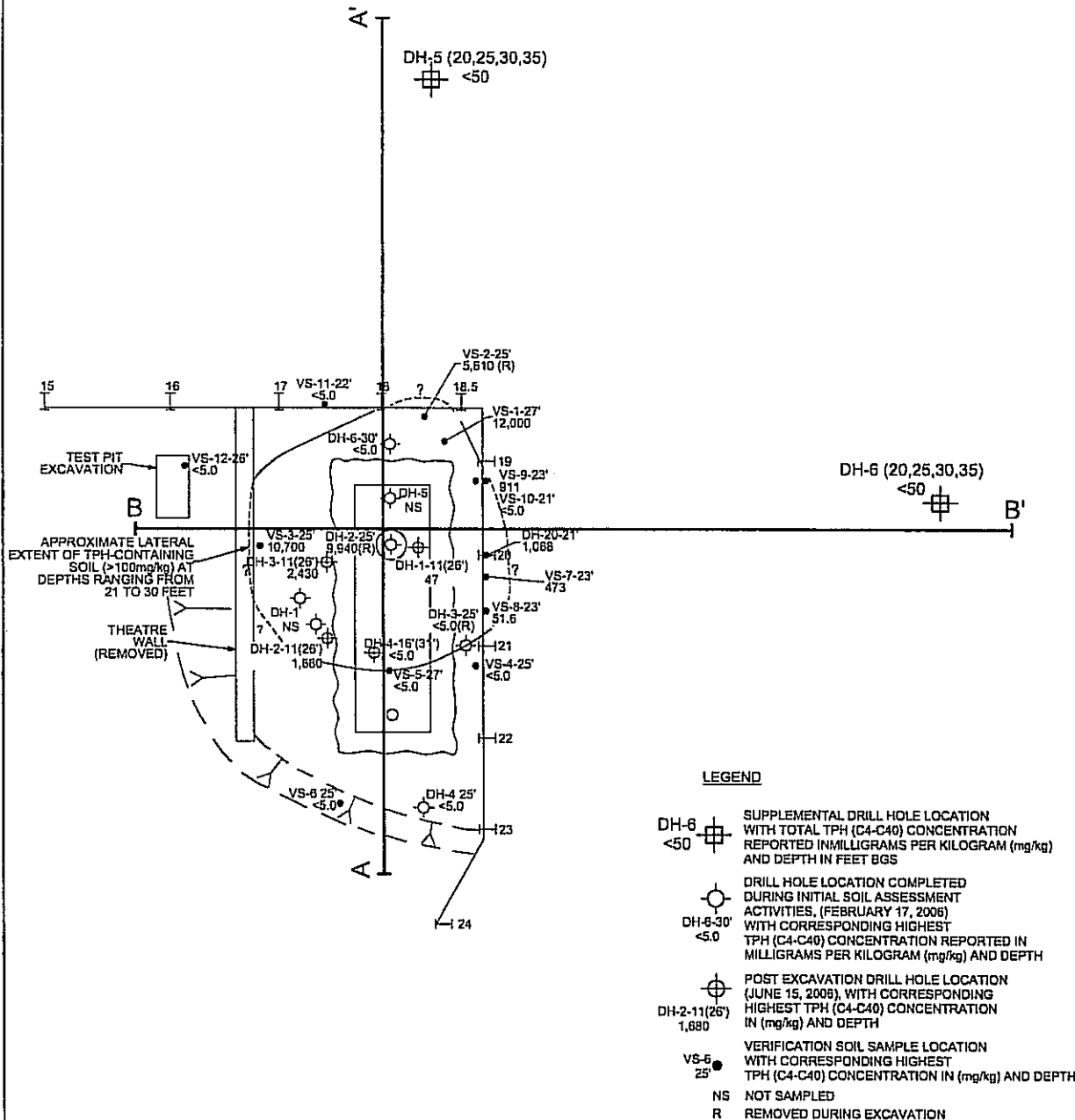
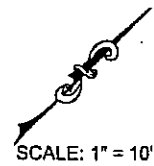
Low risk to water quality based on the vertical separation of the soil contamination from the groundwater. Risk to public health and the environment is low based on the depth of soil contamination below urban development scenario.

6. Government agency concurrence.

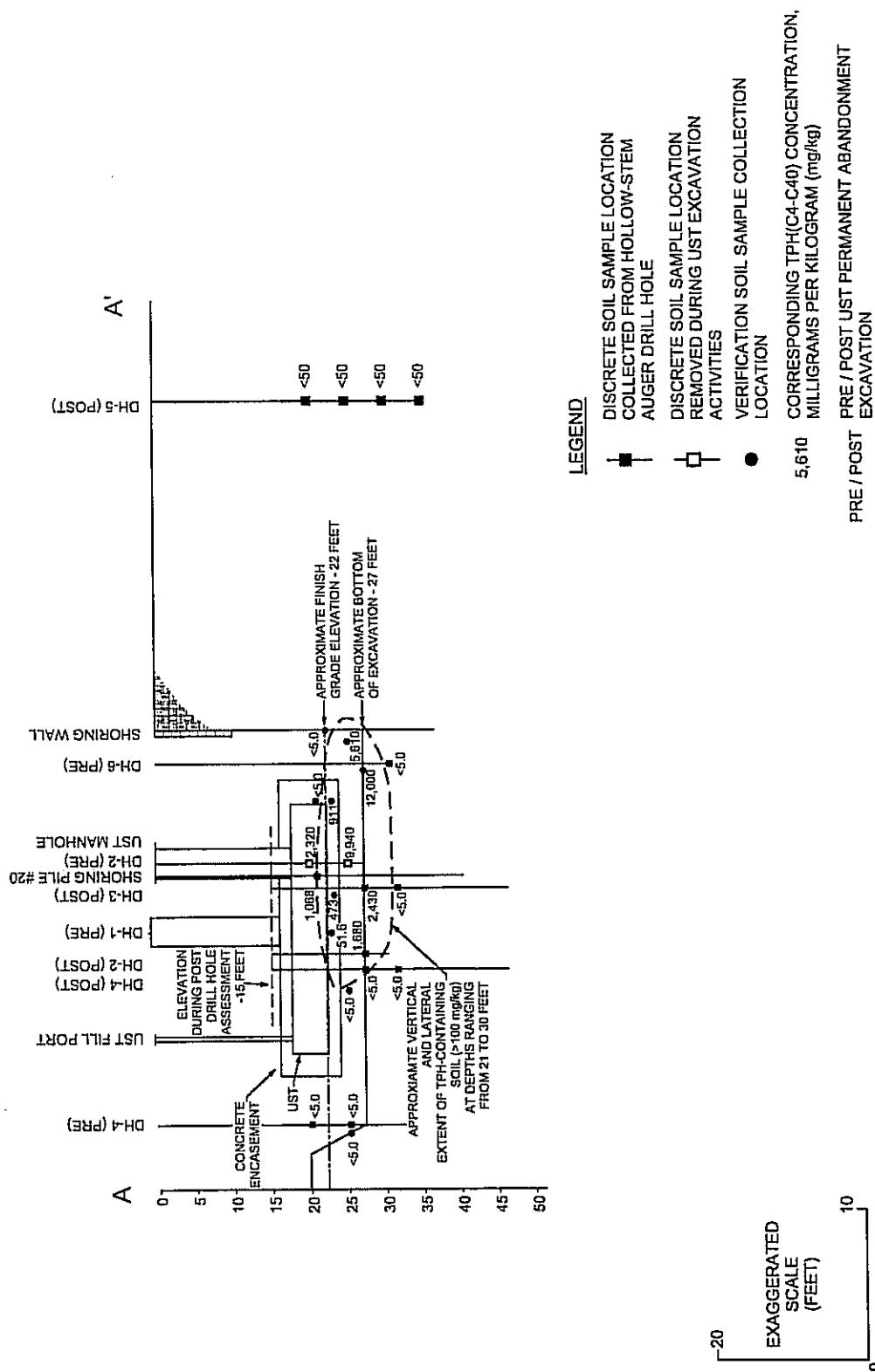
SBCFPD review indicates no further action required based on the available data for the site.





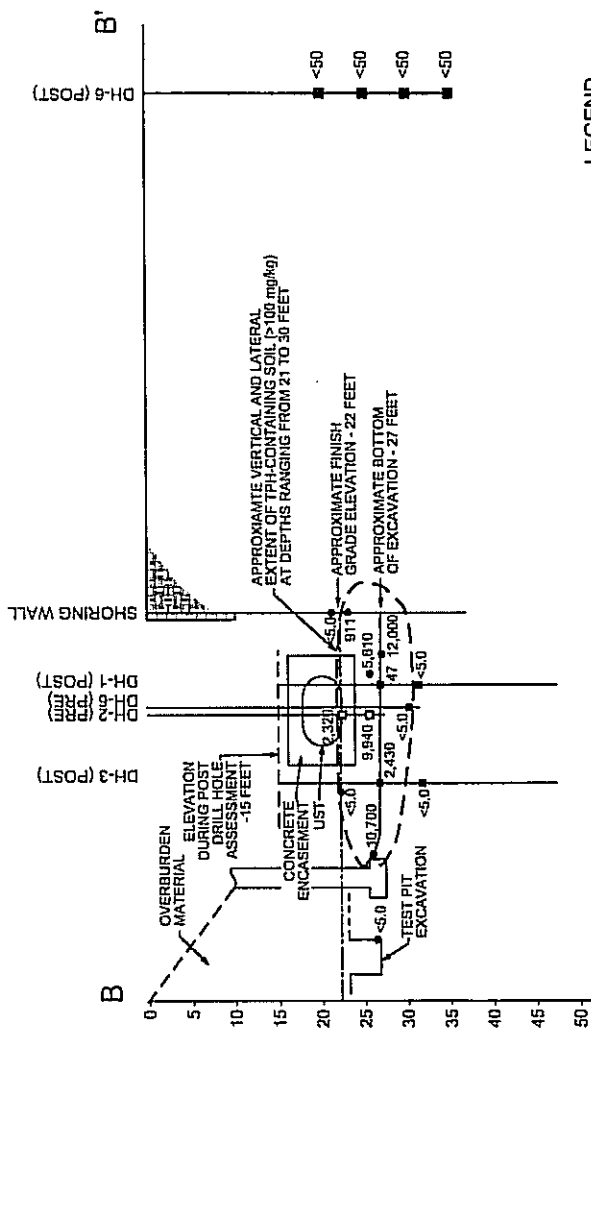


August 2008
Project No. 0301-1994



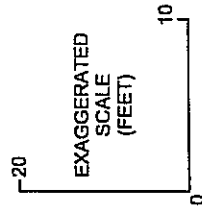
padre
associates, inc.
ENGINEERS, GEOLOGISTS &
ENVIRONMENTAL SCIENTISTS
Granada Theatre UST

ELEVATION CROSS SECTION A-A'
PLATE 4



LEGEND

- DISCRETE SOIL SAMPLE LOCATION COLLECTED FROM HOLLOW-STEM AUGER DRILL HOLE
- DISCRETE SOIL SAMPLE LOCATION REMOVED DURING UST EXCAVATION ACTIVITIES
- VERIFICATION SOIL SAMPLE COLLECTION LOCATION
- 5,610 CORRESPONDING TPH(C4-C40) CONCENTRATION, MILLIGRAMS PER KILOGRAM (mg/kg)
- PRE / POST UST PERMANENT ABANDONMENT EXCAVATION



ELEVATION CROSS SECTION B-B' PLATE 5